全加華人協進會（平權會）
Chinese Canadian National Council
Conseil national des canadiens chinois

Fighting Discrimination

Procedures to Protect your Fundamental Human Rights

如何對付歧視？

——— 人權申訴程序須知

How to Manual Series #1
平權資料叢書 #1

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HUMAN RIGHTS IN CANADA

What exactly is a human right?

One author has suggested that a human right is to be defined as "a benefit whose expectation of fulfillment is guaranteed by law. If the expected fulfillment is not attained, a person can invoke the enforcement procedures of the law in an attempt to obtain the expected benefit." When so defined, the kind of benefits that are guaranteed will then depend on the human rights legislation that is enacted in order to enforce the fulfillment of the benefits.

The concept of *human rights* is often mentioned in relation to the concept of *discrimination.*

The purpose of this manual is to provide a brief overview of the existing legislations that are set out to protect human rights and guard against discrimination in Canada. Before we begin, it may be helpful to review the history of human rights legislations in this country.

From the outset, it may be said that the well-spring of Canadian legislations on human rights was the United Nations' Universal Declaration of Human Rights. Preambles to many of Canada's anti-discrimination statutes quote from the Declaration in this way:

All human beings are born free and equal in dignity and rights...Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, birth or other status.

During and immediately after World War II there was a heightened interest in civil liberties in Canada. This was partly motived by the commitment in the UN Charter to the promotion of human rights and fundamental freedom, and partly because of the domestic development in this area.

Under the *UN Charter* and the subsequent *Universal Declaration of Human Rights,* Canada assumed certain general obligation with respect to the promotion of human rights and fundamental freedom. The Universal Declaration of Human Rights was presented in 1948 as a common standard of conduct for all people and nation. It has also been a catalyst in the further development of human rights principles in various countries. Since 1948, many countries and regional organizations of states have created documents purporting to enhance freedom and to enforce anti-discrimination laws. It is within this climate of human rights movement that Canada gradually developed its own human rights legislations. By 1977, all people and governments in Canada were required by legislation not to discriminate on grounds similar to those listed in the Universal Declaration.

In the following sections, we will look at the federal as well as the provincial institutions and legislations on human rights policy. In particular, we will focus on the *Ontario Human Rights Code* as an illustration of provincial legislation. As well, we will examine our *Charter of Rights and Freedoms* and its role in the promotion of equality in our society.

DISCRIMINATION

Although it is clear that the *"discrimination"* prohibited in the various human rights acts in Canada is the kind of action that involves adverse or unfavourable distinction, no specific definition of the term is provided except in section 10 of the Quebec Charter of Human Rights and Freedoms:

" Every person has a right to full and equal recognition and exercise of his human rights and freedoms, without distinction, exclusion or preference based on race, colour, sex, civil status, religion, political conviction, language, ethnic or national origin or social condition. Discrimination exists where such a distinction, exclusion or preference has the effect of nullifying or impairing such a right."

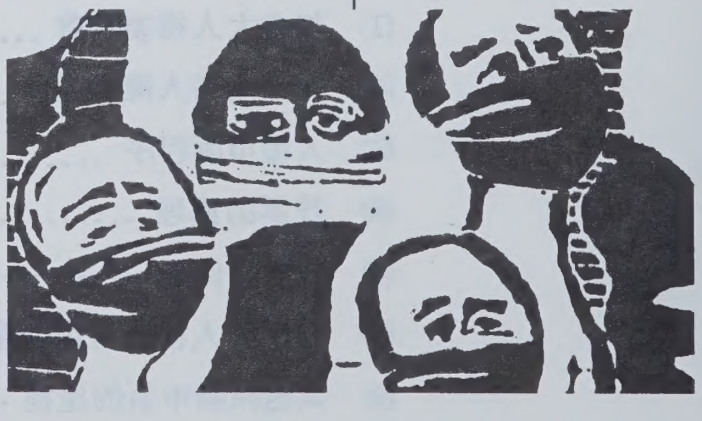
Discrimination can come in different forms:

(a) Overt Discrimination

This kind of discrimination labels itself frankly and unashamedly. It is as readily apparent as the sign that appeared in Kingston, Ontario in 1976. "To let", the sign read, "2-bedroom apartment...Aryan Caucasian Adults Only."

(b) "Nice Guy" Discrimination

Much of this type of discrimination is practiced subtly, quietly by people who do not consider themselves bigots but who discriminate in order to avoid disturbing what they see as the established social order. An example of such people is a landlord who, professing his own freedom from prejudice - refuse to rent to member of visible minorities because his other tenants presumably would move out.



(甲) 何謂「人權」？

「人權」究竟是什麼呢？某作家曾經爲「人權」下這個定義：人權就是一些受到法律確實保障的權益。假若這些權益不能實踐，人們便能採取法律的程序去爭取那些權益。因此，根據這個定義來看，究竟那種權益會受到保障，便要視乎人權法例本身的具體內容而定了。

「人權」這個概念通常與「歧視」這個意念連在一起。而這本手冊的目的乃爲加拿大現存保障人權及反歧視的法例作一個簡介。在未開始之前，讓我們來重溫這個國家之人權法例的歷史。

起初，加拿大人權立法的基礎可說是建立在聯合國的「世界人權宣言」上。在加拿大的許多反歧視的條文之序言中，都引述了宣言如下：

「所有人類與生俱來都擁有平等和自由的權利和尊嚴……每個人都能享有宣言中提及的所有權利及自由，不受任何諸如種族、膚色、性別、語言、宗教、政治見解、國籍、社會、出生或其他地位所分界。」

加拿大在聯合國的人權活動上一直扮演一個很重要的角色。在一九四六年，被選爲聯合國秘書處人權部部長的乃是一位加拿大人：約翰堪富利博士，他擔任該職務直至一九六六年爲止。

在第二次世界大戰期間，加拿大掀起了一股對公民自由的關注。引起這廣泛關注的部份原因是由於當時聯合國憲章對推廣人權的承諾和認同，另一方面則由於國內在這方面本身的發展之故。

根據「聯合國憲章」及其他的「世界人權宣言」，加拿大承擔了促進人權和基本自由的一般義務。「世界人權宣言」是在一九四八年發表，爲所有人類及國家的守則。而且，在不同的國家中，它亦是進一步發展人權原則的一個催化劑。從一九四八年起，許多國家及地區性的機構，都制定了條文去支持提倡自由及反歧視的法律。就在這個人權運動高漲的環境下，加拿大漸漸發展出自己一套人權法例。自一九七七年，法例規定了加拿大政府及人民都不可以用類同於「世界人權宣言」中所列出的理由去歧視別人。

在以下的部份，我們會就聯邦及省政府的層面上，看看人權政策的問題。我們尤其會集中討論安省的人權法，作爲省政府在人權立法上的一個例子。同時，我們亦會審查一下我們的「權利和自由憲章」，以及它在我們社會中作爲提倡平等權益上所擔任的角色。

(乙) 甚麼是「歧視」？

雖然加拿大各類人權法案中所禁止的「歧視」明確地指那些針對某類人的不良或不利的行爲，但是法案都並無清楚地爲「歧視」寫下定義。唯一例外是魁北克省的「人權及自由憲章」中的第十節有以下的定義：

「每一個人都有權平等及完全被確認去運用他的人權及自由；並且不會因爲種族、膚色、性別、地位、宗教、政治、語言、祖裔或原有國籍，或社會地位的原因而被區別，隔離或偏袒。「歧視」就是指當這些區別、隔離或偏袒的行爲已經有損害或否定上述的人權或自由。」

歧視的種類：

歧視可分爲很多種：

(一)公開的歧視——

這是指那些毫無掩飾及羞恥感的歧視，例如在一九七六年安省京士頓市出現以下的廣告：「兩房柏文，非白種人免問。」

(二)「好好先生式」的歧視——

這種歧視是指通常那些自認爲不會歧視他人的人，在很狡猾又含蓄的情況下歧視別人，目的在於避免影響他們眼中所謂的社會秩序。例如：一個屋主自以爲自己沒有偏見，但是拒絕讓一個有色人士租用他的地方，因爲這個屋主認爲其它租客可能因此而搬遷。

(三)系統性的歧視——

這是最含蓄及最普遍的歧視。它已根深蒂固地存在於加拿大的社會歷史中，這種歧視表現在很多主流社會機構或體制的運作上，對社會地位低微的人士有不利的影響。例如少數裔族，婦女及傷殘人士，使他們更加被隔離。系統性歧視並不是由故意的歧視產生的。忽略或不適當的「善行」亦是形成系統性歧視的因素之一。在現實不斷地改變的情形下，歧視的存在應由其結果來衡量。因此的「歧視」包括所有阻礙某類人在社會的發展機會的行爲或態度，不論這些行爲態度是故意與否，只要這些阻制對某類人的發展構成無根據的妨礙，便是「歧視」！

看完在今日社會中的歧視的性質，我們先討論一下有關現存人權服務的一些資料。

(c) Systemic Discrimination

It is the most subtle and pervasive form of discrimination with its roots buried deep in Canadian social history; it makes many of our major institutions operate to the detriment or exclusion of the disadvantaged groups (including visible minorities, native, women and the disabled).

Systemic discrimination is not always or even necessarily the result of intentional discrimination. It also occurs because of obliviousness or even misplaced benevolence. In the context of changing realities, discrimination must now be measured by its results. It must now be seen to include practices or attitudes that - regardless of intent - have the actual effect of limiting an individual's or a group's rights to opportunities that are generally available in our society, when this limitation is impaired by external barriers that artificially inhibit growth.

Having laid out the nature of discrimination in today's society, we should now turn to some of the facts about existing resources and services in the human rights field.

An example of systemic discrimination is illustrated by the current subsidized language training program. This program consists of full time, intensive English or French as a Second Language classes with a training or living allowance included. Under the current system, immigrant women more often than immigrant men are refused subsidized language training by a Canada Employment Center counsellor due to the nature of the eligibility criteria. In particular, it is required that the applicant cannot be a sponsored immigrant, that (s)he be destined for the labour market, possesses an occupational skill and that the individual's lack of fluency in one of the official languages is not preventing him or her from securing employment. Such criteria systematically screen out more women than men from entering the subsidized training since immigrant women are usually sponsored. Women who are pregnant, have young children, or were housewives in their home country are often determined to be "not destined for the labour market" whether or not they are in fact working in Canada. As well, housewives and women with lower level of education may be told they do not possess an occupational skill. Finally, more women than men are told that language training is unnecessary for obtaining "suitable employment". As a result, women are penalized for their initiative and hard work by being denied subsidized language training.

HUMAN RIGHTS LEGISLATIONS - AN OVERVIEW

Human rights laws stem from democracy's commitment to individual human dignity. Historically, the protection of human rights in Canada has been a matter for provincial, and more recently, federal anti-discriminaiton legislation. The first comprehensive piece of legislation was not passed until after World War II when the *Saskatchewan Bill of Rights* was enacted. Other provinces followed suit. By 1975, all the provinces had enacted anti-discrimination legislation with some legislatory protection for fundamental freedoms as well. The federal government enacted anti-discrimination legislation in 1977 with the passage of the *Canadian Human Rights Act:*

Anyone who believed he or she had been the victim of discrimination was required to find a prohibition against that particular form of discrimination in either the provincial or federal legislation.

All of the human rights acts in Canada prohibit discrimination on the ground of race or colour. Other terms relating to one's ancestry or racial origin include: "national extraction", "national origin", "place of birth", "place of origin", "ancestry", "ethnic origin" and "nationality".

In addition to the racial grounds, all jurisdictions have legislation prohibiting discrimination on grounds of "sex" and "marital status" or "family status" or "civil status", all of them prohibit discrimination on the ground of "age", PEI and Quebec prohibit discrimination on the basis of "political opinion", "belief" or "conviction". In addition, the Quebec Act adds "language", "social condition" and "sexual orientation" as prohibited grounds of discrimination while the Manitoba legislation adds "source of income". The federal act includes, as prohibited grounds of discrimination, "a conviction for which a pardon has been granted." Discrimination on the ground of "physical handicap" is found in the acts of Manitoba and Nova Scotia, while New Brunswick, PEI and Saskatchewan adopt the term "physical ability", and Alberta the term "physical characteristics". In the federal act, as well as those of British Columbia, Ontario and Quebec, protection is provided for "handicapped" person, which includes both "physical" and "mental" handicap.

The acts address themselves to equality of access to places, activities and opportunities. All acts prohibit discrimination in employment, in the rental of dwelling and commercial accommodation, in accommodation, services and facilities customarily open to the public, in the publicity and/or displaying of discriminatory notices, signs, symbols, emblem or other representations. In addition, New Brunswick, Nova Scotia, British Columbia, Manitoba and Saskatchewan prohibit discrimination in the selling of real property.

Laws do reflect our commitment to combat discrimination. But the traditional enforcement model in human rights legislation has proved to be limited in two important ways. For one thing, it deals with discrimination case by case; it can provide redress to one person or group without helping others who find themselves in exactly the same situation. In addition, many of our human rights laws - the Canadian Human Rights Act is one of the exceptions - have been limited to cases of intentional discrimination.

(丙) 加拿大人權法例之統觀

人權法律乃基於民於政治對個人的尊嚴的信念而發展產生的。從前在加拿大，人權保障只是各個省政府的事務；而至最近，則擴展至聯邦反歧視的立法上。第一個較詳盡的立例乃在第二次世界大戰後，沙卡頓省的人權法案制定後才獲通過，而其他省份也陸續仿效。至一九七五年，所有省份已經制定了反歧視的法例，而基本人權自由亦獲得一些法律上的保障。聯邦政府在一九七七年，制定了反歧視法例，同時亦通過了「加拿大人權法」。

任何人如相信本身是被歧視的受害者，便可以從本省或聯邦政府的法例上去制止歧視的發生。

加拿大所有人權法案都提及禁止種族或膚色歧視。而其他聯繫的法律字眼包括：「民族血統」、「民族來源」、「出生地」、「來源地」、「祖裔」、「種族來源」及「原籍」等。

除了種族因素外，所有司法制度都有法例去禁止因「性別」、「婚姻狀況」、「家庭狀況」、「公民地位」或「年齡」等的歧視。愛德華王子島及魁北克省亦針對因「政治主張」、「信仰」或「信念」所生的歧視。另外，在魁北克法案中更加禁止因「語言」，「社會地位」或「性傾向」所引起的歧視。而冕尼吐已省法例上則加上針對「收入來源」的歧視。在聯邦法案中，亦禁止歧視那些已獲赦免的判罪。在晃省，斯高沙省亦主張反對因「身體殘疾」而引起的歧視。相仿地，紐賓士域省、愛德華王子島及沙省則採用了「身體功能」的用字，而亞伯特省則用「身體特徵」這名稱來代替。在聯邦法案中，同時在卑斯省、安省及魁省中，「身體」及「精神」上有「殘疾」的人仕亦可獲保障。

這些法令提供了進入某些場所、活動及機會上的平等。同時亦禁止在職業、住宅或商用樓宇之租用，公共屋邨、公衆服務或設施上有歧視的發生；亦不許宣傳或標貼那些有歧視成份的通告、標語、符號、標記或其他代表物等。另外，紐賓士域省、斯高沙省、卑斯省、晃省、沙省亦不准在地產買賣之交易上有歧視出現。

以上的法律確能反映我們打擊歧視所持的信念。然而在傳統的人權法例的執行模式中，仍發覺有兩個重要的限制。首先，人權法例只能用於個別的歧視個案中，只能協助某一個人或一小攝人索回賠償。但效果未能伸展到其他處境相同的人身上，使他們也同時受惠。另外，許多的人權法律都有共通弱點，就是只能管制那些故意的歧視而已（加拿大人權法是唯一的例外）。

(丁) 加拿大人權委員會

自從加拿大國會一致通過「加拿大人權法案」後，「加拿大人權委員會」便正式在一九七七年成立。在法案管轄下，「委員會」必須用宣傳或其他適當的途徑去盡力提倡及推廣人權平等的意念。此外，「委員會」也負責培養大衆對人權法案的了解，認識「人權委員會」的責任及有關一切的活動。

「委員會」在執行人權法案的過程中，負責制止聯邦司法對管理貨品及設施供應的不平等，並嚴禁職業的歧視。

法案嚴禁因下列十項理由而引致不平等的待遇：

- 種族
- 祖籍
- 膚色
- 宗教
- 年齡
- 性別（包括孕育）
- 婚姻狀況
- 家庭狀況
- 前科紀錄
- 殘疾（包括身體上，精神上的殘疾，以及酒精或毒癮）

聯邦管轄的範圍包括：

- 各聯邦部門及代辦處
- 國家附屬機構
- 政府特許銀行
- 核子工業
- 橫跨各省的交通運輸公司
- 橫跨各省及國際石油公司
- 聯邦管轄下的電訊公司

換言之，「加拿大人權法案」並不干與省政府的法律與職權，例如房屋居住及醫療保健計劃便不是在「加拿大人權委員會」的管制範圍內。任何有關對省政府法例有不滿的，都應向省政府有關機構投訴。而任何有關加拿大人權法案的申訴也應向「加拿大人權委員會」申訴。

CANADIAN HUMAN RIGHTS COMMISSION

The Canadian Human Rights Commission was established in 1977 following unanimous passage of the *Canadian Human Rights Act* by the Parliament of Canada. Under the Act, the Commission must endeavour by persuasion, publicity or any other means that it consider appropriate, to discourage and reduce discriminatory practices and to promote equal opportunity. It is also responsible for fostering public understanding of the Act, and of the role and activities of the Commission, and for initiating or sponsoring research programs relating to human rights.

The Commission administers the *Canadian Human Rights Act*, which prohibits discrimination in employment and in provision of goods and services in sectors under federal jurisdiction.

There are 10 prohibited grounds of discrimination under the Act:

- **race**
- **national or ethnic origin**
- **colour**
- **religion**
- **age**
- **sex (including pregnancy and child birth)**
- **marital status**
- **family status**
- **pardoned conviction**
- **disability (including physical disability, mental disability and dependence on alcohol or drug)**

Areas under federal jurisdiction include:

- **federal departments and agencies**
- **crown corporations**
- **chartered banks**
- **the nuclear industry**
- **interprovincial transportation companies**
- **interprovincial and international pipelines**
- **federally regulated telecommunications companies**

In other words, the *Canadian Human Rights Act* does not apply to things under provincial law - most housing, for example, and provincial government responsibilities like health care. If the complaint falls within the provincial jurisdiction, then the complainant should get in touch with provincial agencies. But if it is something that can be dealt with under the *Canadian Human Rights Act*, the complainant should then sign a formal complaint to the Canadian Human Rights Commission.

ONTARIO HUMAN RIGHTS COMMISSION

The purpose of the *Ontario Human Rights Code* is to create, at the community level, a climate of understanding and mutual respect for the dignity and worth of each person, so that each person feels a part of the community and is able to contribute fully to the development and well-being of the community and province.

The functions of the Ontario Human Rights Commission therefore include the establishment and implementation of policy to meet these aims. The Commission is formed with a view to promote equality of all regardless of such considerations as background, race, religion, etc. It is also there to ensure our ability to obtain employment, accommodation or to enjoy a leisure activity would not be limited by factors that have nothing to do with our individual merit.

The new *Ontario Human Rights Code* was proclaimed on June 15, 1982, exactly 20 years to the day since the enactment of the first Code. The new Code greatly extends both the grounds of discrimination and the consequential mandate of protection. For example, it is the first anti-discrimination legislation in Canada to explicitly prohibit harrassment, sexual advances or solicitation.

There are 5 areas which may fall under the jurisdiction of the Ontario Human Rights Commission:

(a) Services, goods and facilities

Examples are restaurants, hotels, department stores, sports and recreational clubs.

(b) Accommodation

This includes renting an apartment, a house or a room.

(c) Contracts

Examples are automobile and life insurance contracts

(d) Employment

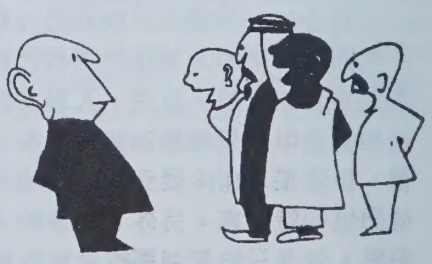
This covers all aspects of employment including recruitment, hiring, training and promotion.

(e) Vocational Associations

This includes membership in any trade union, trade or occupational association.

Further, there are 15 grounds of discrimination:

- **race**
- **ancestry**
- **place of origin**
- **colour**
- **ethnic origin**
- **citizenship**
- **creed**
- **handicap (includes illness, injuries and physical or mental disorders, learning disabilities or dysfunctions)**
- **age (18 to 65 years of age in employment; 16 and above in accommodation; 18 years and over in other areas)**
- **marital status (includes cohabitation, widowhood and separation)**
- **family status (parents-child relationship)**
- **receipt of public assistance (this applies to accommodation only)**
- **record of offences (this includes provincial and federal offenses for which a pardon has been granted, and it applies to employment only)**
- **sexual orientation**



(戊) 安大略省人權委員會

「安省人權法」是爲促進社團間互相了解。彼此尊重的精神而設，以致人人皆可投入社區，盡力爲社會的發展與福利作出貢獻。

「安省人權委員會」的功用包括訂立及實行政策來達成以上的目標，它的成立是爲促進人人平等，不論其背景、種族、宗教信仰等等。人權委員會亦確定我們在就業，居住及享受餘閒的能力不受那些與個人優劣無關的因素所影響。

新的「安省人權法」公佈於一九八二年六月十五日，距離製定第一次人權法剛好二十年。新的人權法大大的伸展了受禁止的歧視及隨之而來的保障。舉例來說，這是在各加拿大反歧視法令中，首一條明確地禁止騷擾，性干擾及性徵求。

以下五方面均在安省人權委員會的司法權下：

(一) 服務、貨品及設施：
如餐廳、酒店、百貨公司、體育及康樂會。

(二) 居住：
包括租住柏文、房屋及房間。

(三) 合約：
如汽車及人壽保險合約。

(四) 就業：
包括徵募、僱聘、訓練與晉升。

(五) 職業協會及行業工會：
包括工會的會員、商業及各行業協會。

「安省人權法」的管制包括以下十五種歧視在內：

- 種族
- 祖裔
- 原籍
- 膚色
- 人種
- 公民身份
- 宗教
- 傷殘（包括患病、受傷、身體或精神殘障、學習困難）
- 年齡（就業方面：十八歲至六十五歲的人；居住方面：十六歲或以上的；其他方面：十八歲或以上的）
- 婚姻狀況（包括同居、鰥寡與離婚）
- 家庭狀況（父母與子女關係）
- 接受公共援助（這只應用在住屋方面）
- 前科記錄（只在受僱方面，包括犯了省份及聯邦條例而得赦免者）
- 性傾向。

(己) 人權申訴程序

每個人權會的正式申訴程序都略有不同，但每一程序均與安省人權委員會所制定的相似。凡任何人認爲本身是安省人權法所禁止的歧視或騷擾的受害者，都可向就近的人權委員會辦事處提出申訴。

(一)請求會見人權官，若你不方便使用英語，可請友人或就近社區爲你提供母語翻譯。

(二)扼要地向人權官提出你認爲在那方面受歧視。若你有受僱上的申訴，告訴人權官有關你的職位，受聘時間及公司名稱。

(三)若你的投訴不在人權法管轄範圍內，人權官會盡力指引你往合適的部門。否則，人權官會給你一份問卷，要求你填答有關申訴的資料。

(四)詳細填報資料是極爲重要，所以，存留事情的記錄對你是有利的。

(五)填報問卷包括以下的事項：

- 你的全名、地址及電話號碼
- 所僱公司的全名，被控訴人的全名，及公司總裁的名字
- 順序列出每宗與申訴有關的事件，指出事發的日期，如有可能的話，把事情經過亦詳細列出。包括有否任何的目擊證人。例如：在一九八八年一月十六日，我的經理……我的同事某某亦聽到。
- 交上任何支持你申訴的文件，如受聘記錄，解僱通知，醫生紙等。
- 申訴根據的事件必須發生在申訴提出前六個月內，否則你的申訴可能被拒絕接受。

(六)當人權官收到你的問卷後，你的申訴將會被順序草擬。其後，你會收到電話通知前往檢閱申訴的草稿。若你認爲無更改的必要，人權官會安排你往辦事處安排你來簽署表格的日期。

(七)你的個案將會被登記，並有調查官會被指派來通知你申訴會何時被處理。

PROCEDURES FOR FILING A COMPLAINT

The requisite procedures for filing a complaint to a human rights commission vary from one commission to the next. However, the general routines conducted by each commission can be demonstrated by the procedures set up by the Ontario Human Rights Commission. Any person who wishes to file a complaint of discrimination under one of the five areas and based on the grounds stipulated in the *Ontario Human Rights Code* may contact the nearest office of the Ontario Human Rights Commission.

(a) Ask to speak with an intake officer. If you feel uncomfortable with your English, have a friend call on your behalf or contact any local community agencies which provide interpretation service for your mother-tongue language.

(b) Tell the officer, very briefly, that you believe you have been discriminated against, stating the area and the ground(s). If you have an employment complaint, tell the officer your position, how long you have been with the company, and provide the company's name.

(c) If your complaint is not covered by the Code, the officer will try to refer you to the appropriate department. If your complaint is covered by the Code, the officer will send you a questionnaire requesting information about your complaint.

(d) When you receive your questionnaire, it is very important to complete it in as much detail as possible. This is why it is a good idea to keep notes about what has happened.

(e) In filling out the questionnaire, include the following:

-Your full name and address, as well as a number where you can be reached.

-The company's full name, and the full name(s) of the people you are filing against, as well as the company president's name.

-State in chronological order the events that led to your complaint indicating the complete date, if possible, what happened or was said and if there were any witnesses. For example: On January 16, 1989, my manager said....My co-worker, Mary Smith overheard this statement.

-Include whatever supporting documentation you have. For example, copies of record of employment slips, notice of termination, doctor's notes, etc.

-It is important that you file your complaint within 6 months after the infringement occurred. Complaints sent in after the time limit may not be accepted.

(f) When the intake officer receives your questionnaire, your complaint will be drafted on a first come, first served basis. You will then be contacted by telephone to review the draft complaint. If there are no changes to be made, the officer will schedule an appointment so that you can come into the office to sign your forms.

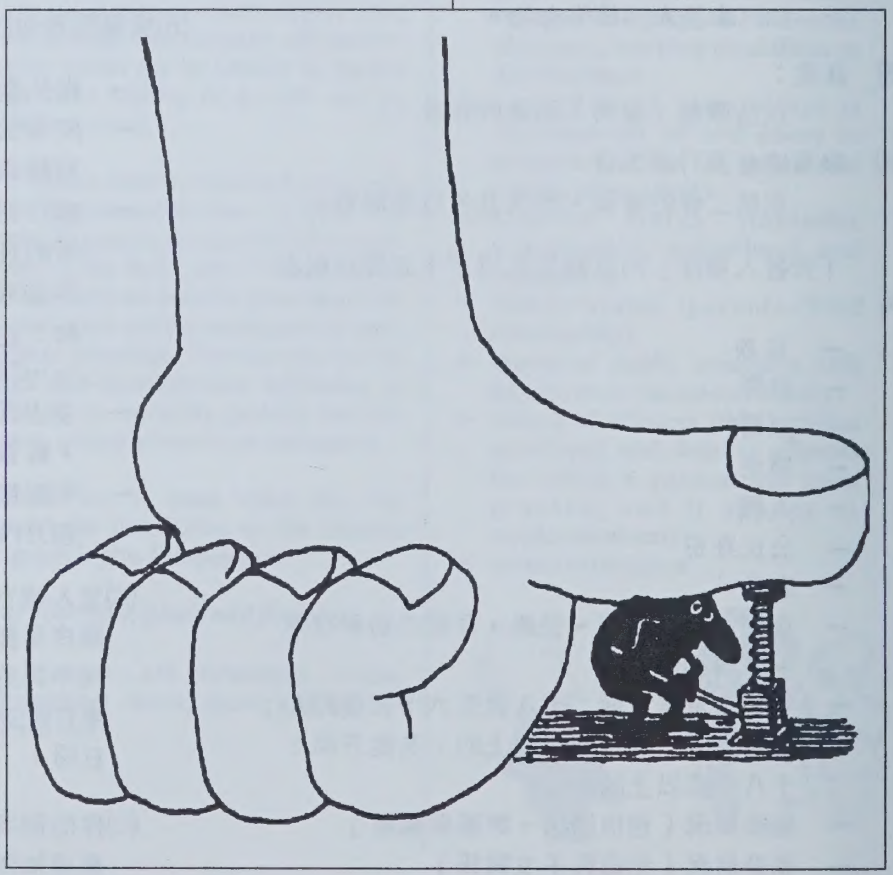
(g) Your case is then registered and assigned to an investigating officer who will contact you when the complaint is about to be served.

(h) At the time you receive your complaint, the respondents will also receive their copy. They are given 3 working weeks to respond in writing to your complaint.

(i) On receipt of their response, the officer will contact you to review the response. Following this a date may be set for a Fact Finding Conference if the Commission feels it would assist in resolving the complaint.

(j) The purpose of a Fact Finding Conference is to clarify points that are in dispute and to determine the facts which gave rise to the complaint. An opportunity is then provided to resolve the complaint at this stage. If this is not possible, the complaint proceeds to an investigation.

(k) *The Human Rights Code* 1981 requires that the Commission conduct an impartial investigation to establish the facts of the case. In carrying out the investigation, a human rights officer may enter any premises, ask for the production of documents and speak to witnesses who may have information relevant to the complaint.



(八)被投訴人亦會同時接獲指控的副本，而被要求在三星期內書面回答你的指控。

(九)人權官將通知你前往檢看被投訴人的回答。如有需要，便召開「實情調查會議」。

(十)「實情調查會議」的目的爲：

- 確定申訴人及答辯人對該申訴所持立場。
- 從雙方口中獲取申訴的事實證據。「實情調查會議」中無法解決的申訴作進一步的調查。

(十一)在一九八一年人權法下，「人權委員會」需施行公平的調查來確定申訴事實的根據。在進行調查時，人權官可進入事件發生的地點，請求有關人提出文件，及與可能同該申訴有關資料的證人談話。

(庚) 投訴的處理

有時當某投訴可以靠其他方法來解決，那麼「人權委員會」便把調查擱後。例如，該歧視個案可能有待工會根據其合約來調解。

無論如何，受害者都應該儘快正式向有關的「人權委員會」投訴。這是因爲「人權委員會」通常不會受理已發生了一段時期的個案。「加拿大人權委員會」定一年爲投訴的期限。如果你在一年之內投訴，那麼就算其他解決的途徑需一年多的時間進行，人權委員會仍然會調查你的投訴，以下列出各項有可能在調查完畢後發生的事：

(一)推薦報告

- 當人權官收集了全部有用的證據後，他就會完成一份個案分析報告以供「人權委員會」參閱。這份報告列出你的投訴，你和答辯人的立場，和雙方所提供的證據。如果答辯提議和解，和解內容便會在報告中引明。此外，這報告書會建議怎樣進行下一步。

(二)自白書

- 個案在分析報告被呈遞給「人權委員會」作出決定前，你和答辯人都會獲通知該報告的內容。
- 如果你兩人其中一個覺得自己處境未被解釋清楚，便可以呈交一份自白書。「人權委員會」在參閱分析報告之時同時審閱該份自白書。

(三)「人權委員會」的決定

- 「人權委員會」並不一定要依照人權官員的推薦而作出決定。
- 「人權委員會」可以從以下四項方法中選擇其一來處理個案：
  1. 把申訴駁回：這是當所得證據並未能證明投訴是有理由支持。
  2. 當答辯人提出和解，而你又接　的話，那麼「人權委員會」便會以和解來終止這投訴。
  3. 如果你的投訴被證實有理，但答辯人又並未提出和解，那「人權委員會」便可以親自提出調停的方法。
  4. 當調停失敗時，人權委員會便會將你的申訴交付審裁局處置。

(四)和解

- 和解一定要經「人權委員會」通過才正式生效。
- 通常和解的內容會包括怎樣把你被壟斷的權利歸還。
- 例如，當你失去一個被僱用的機會，你的賠償便會包括失去的薪金。此外，當雇主有適合你的空缺，你便可獲得該職位。
- 有時你失去的自尊亦可能得到補償。

(五)調停

- 當歧視發生後，而答辯人又沒有提出和解，就會有一個調停官員負責這個案。
- 調停官員的工作和人權官不同，後者的責任是探求事實的眞相，而前者則協助你和答辯人達成協議。當調停工作完成後，「人權委員會」便小心考慮調停的結果，以之決定應否通過。

(六)審裁局

- 當調停失敗時，委員會通常會把個案交由一個獨立的審裁局處置。
- 「人權審裁局」比「人權委員會」有更大的權力，如果審裁局認爲你有理由證辯你的申訴，那麼它就會命令答辯人做以下的事：

DISPOSITIONS OF COMPLAINTS

It should be noted that sometimes an investigation is put on hold while other avenues are followed in trying to resolve the problem - when the alleged discrimination is being grieved under a union contract, for example.

Nevertheless, it is important to make the formal complaint to the relevant human rights commission right away. The reason is that the commission does not usually accept complaints about events that happened after a certain period. In the case of Canadian Human Rights Commission, the limitation period is one year. If the complaint is made on time, the commission's investigation can proceed once the grievance or other procedure is over, even if more than a year has passed. The following sets out the events that may happen after an investigation has been conducted by Canadian human rights officers.

(a) Recommendations

When all the useful evidence has been gathered, the human rights officer writes a case analysis for members of the Commission. This analysis says what your complaint is. It sets out the positions of both parties - the respondent and you - and describes the evidence on both sides. If the respondent has proposed a settlement, it sets out the terms. Finally, it recommends what should be done next.

(b) Submissions

Before the case analysis goes to members of the Commission for a decision, both you and the respondent will be told what it says.

If either of you feels your case has not been made well enough, you can make a written submission of your own. Any such submission will be seen by members of the Commission at the same time as they see the case analysis.

(c) The Commission decides

The Commission does not have to follow the recommendation of the human rights officer.

Some of the options available to the Commission in dealing with cases are:

i. *Dismissal* - when the evidence does not support the complaint.
ii. *Settlement* - when the respondent has proposed some way to make up for the discrimination, and you have accepted it.
iii. *Conciliation* - when the evidence supports your complaint but no settlement has been offered.
iv. *Reference* to a tribunal - usually when conciliation has failed.

(d) Settlement

A settlement does not become official until it has been approved by the Commission.

Settlements usually include restoration of the rights that were denied. For example, if you were refused a job because of discrimination, you would usually be compensated for lost wages and offered the next suitable job the employer had available.

There is also sometimes payment to make up for loss of self-respect.

(e) Conciliation

When discrimination has taken place but no settlement has been offered, the complaint is usually put in the hands of a conciliator.

Unlike the human rights officer whose basic job was to determine the facts, the conciliator tries to help the respondent and you agree on a settlement.

When conciliation succeeds, the resulting settlement is considered by members of the Commission, to see whether they approve it.

(f) Tribunals

When conciliation fails, the Commission usually places the case before an independent human rights tribunal.

Human rights tribunals have stronger powers than the Commission. If a tribunal agrees your complaint is justified, it can order the respondent to:

-Stop discriminating in this way, and take action to overcome the effects of past discrimination.

-Restore your rights.

-Compensate you for any real losses.

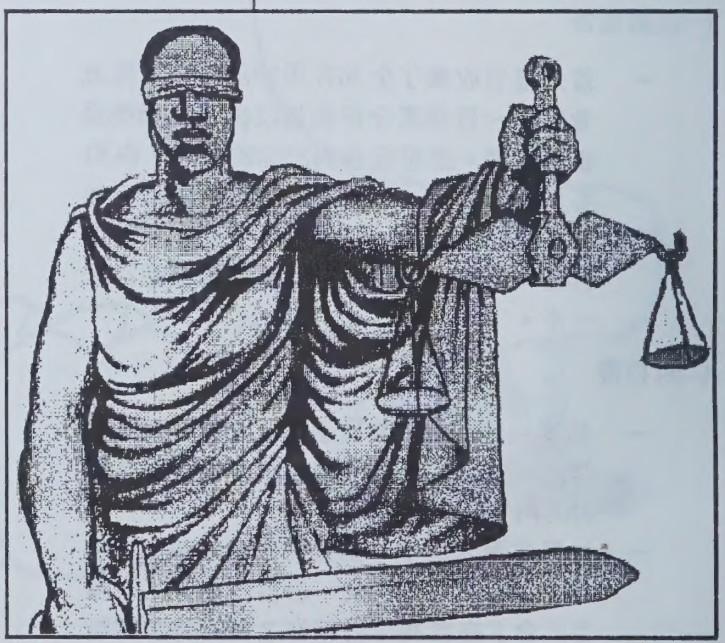
-Reward you for hurt feelings.

(g) Appeals

If your complaint has been dismissed by the tribunal, you can go to the court to get the last word.

If your case falls under the jurisdiction of the Canadian Human Rights Commission, you can ask the Federal Court of Canada to make the Commission take another look. Even a review tribunal's decision can be appealed to the Federal Court.

If you or the respondent are not satisfied with the Federal Court's decision, you can go to the highest court in the land - the Supreme Court of Canada.



- 停止歧視事件，以及採取行動把過往歧視的後果免除。
- 歸還你被否定的權利。
- 賠償你任何眞正的損失。
- 彌補你的創傷。

(七)上訴

一 如果你的投訴被審裁局駁回，你可以向法庭申訴。

一 如果你的個案是屬於加拿大人權委員會管轄的範圍內，你可以入稟加拿大聯邦法院，要求它下令「人權委員會」從新審查你的申訴，你甚至可從聯邦法院上訴審裁局的判決。

一 如果你或者答辯人對聯邦法院的決定有所不滿，你可以向全國最高的法院——加拿大高等法院——上訴。

(辛) 歧視的例子

以下的例子是一些在職業範圍內發生的種族歧視，其中有關人士向人權委員會提出的申訴：

個案一

事件經過：陳先生在報章見到一份聘請廣告，他向這機構求職。該職位規定認徵者要有五年在加拿大的工作經驗。陳先生在同一行業中有十二年在加拿大以外的經驗，但至今陳先生仍未獲該機構接見。

分析：規定有加拿大工作經驗是歧視的一種；除非這是工作上必須的。例如：政府部門律師一職理應雇用熟悉加拿大法律的人士。但是，這種雇用條件對某一類人來說，譬如說新移民，可做成一種障礙，使到勝任的人不會獲聘請，雇主有權詢問你可否合法在加拿大境內工作；但如果你因爲雇主拒絕請新移民而得不到這份工作，你便可提出投訴。

個案二

事件經過：張太曾於某公司的求職表格上及接見過程中，被問及有關他的公民身份。最後張太未被錄用。

分析：「公民身份」是安省法案所規定的歧視之一種，但並不受加拿大人權法案所禁制。但如果該資料被用作對種族，血統或原籍有所歧視，你仍然可以向加拿大人權委員會投訴。

(壬) 加拿大人權及自由憲章

人權及自由憲章爲本國的人權價值及標準的發展帶來了一個全國性的焦點。這份憲章更保障了所有加拿大人，不論你住在那一個省份，都應得最基本的人權。

(一)憲章的內容——

這憲章是用以保障某些最基本的自由如：

一 宗教及意識的自由

一 思想、信仰、意見及表達的自由，其中包括報章言論以及其他傳播媒介的輿論自由

一 和平集合的自由

一 結社組織的自由

此憲章更保障其他民主及法律上的權利，其中包括了：

一 投票權和競選政治任務的權利

一 遷移的權利，例如進入、逗留及離開加拿大境的權利

一 在任何一個省份居住及謀生的權利

一 其他有關刑事及懲罰事情上之權利。

其中跟這小冊子最有關的一則，就是憲章中的第十五節，即是平等和反歧視的條文：

「每一個人在法律之前及法律之下都是平等的。同時，每一個人都平等地得到法律所提供的利益及保護，而不受到任何歧視，尤其是不受到種族、原籍、原宗、膚色、宗教、性別、年齡、精神或身體殘疾的歧視。」

換言之，憲章第十五節保障了四種不同的平等權利：在法律之前的平等，在法律之下的平等，平等地獲法律保障，以及平等地接受法律所給予的得益。

雖然第十五節只列了幾項不同種類的歧視，但其中所採用的字眼似可被伸展至包括其他未被提及的歧視。

但是這則平等法例是受制於憲章中可壓倒憲章的條文，即是所謂「壓倒性條款」。這就是說，政府如果想的話，可以立下一條違反憲章平等法則的法案，只要政府把「壓倒性條款」加入這法案中便成。除此之外，第十五節所保障的平等並不是絕對的；這些權利要符合憲章中「合理的限制」之規定

EXAMPLES OF DISCRIMINATION

Let us look at some incidences of racial discrimination in the area of employment where the individuals involved are entitled to file a complaint to the corresponding human rights commission:

① **Fact:**

Mr. A. Chan applied for a job in response to a newspaper ad. The job required five years of Canadian experience. Mr. Chan had 12 years of work experience in the same field before he came to Canada. However, no interview was even granted.

Response: Requiring "Canadian experience" is discriminatory, except where it is a necessary requirement of the job. For example, if a person were applying for a job as a lawyer for the government, working with Canadian laws can be a reasonable requirement. However, asking for Canadian experience can sometimes have the effect of screening out members of certain groups, such as recent immigrants, whether or not they have the ability to do the job. An employer is entitled to ask if you are legally able to work in Canada. But you may have reasonable grounds for a complaint if an employer uses Canadian experience as an excuse to refuse to hire new Canadians.

② **Fact:**

Mrs. Joe was asked to answer question about her citizenship on a job application form and subsequently during the job interview. In the end, she did not get the job.

Response: Discrimination on the ground of "citizenship" is not prohibited by the *Canadian Human Rights Act*; it is, however, under the Ontario Code. In the former case, if this information is used to discriminate against you because of your race, colour or national or ethnic origin, then you can still complain to the Canadian Human Rights Commission.

THE CHARTER OF RIGHTS AND FREEDOMS

The *Charter of Rights and Freedoms* provides a national focus for the development of national values and standards of human rights. It also serves as a minimum standard that all Canadians have been promised regardless of where one happens to reside within Canada.

(a) Content of the Charter

The Charter protects certain **fundamental freedoms.** These are:

- **the freedom of conscience and religion**
- **the freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication**
- **the freedom of peaceful assembly**
- **the freedom of association**

The Charter also protects **democratic** and **legal rights** such as:

- **the right to vote and to run for political offices**
- **"mobility right" such as the right to enter, remain in, and leave Canada**
- **the right to live in any province and to pursue the gaining of a livelihood in any province**
- **other rights relate to criminal and penal matters**

The one section which is relevant to our current discussion, is the *equality or anti-discrimination provision* set out in section 15 of the Charter:

"Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination, in particular, without discrimination based on race, national and ethnic origin, colour, religion, sex, age or mental or physical disability."

Section 15 guarantees four forms of equality: equality before the law, equality under the law, equal protection of the law and equal benefit of the law.

It is to be noted that while certain categories of discrimination are expressly listed in section 15 of the Charter, the wording seems to extend the protection to other non-enumerated categories as well.

However, equality right section is subject to the override provision in the Charter. This means that the government may, if it chooses, enact a legislation which violates the Charter equality section by simply include an "overriding clause" in the legislation. Furthermore, none of the categories listed under section 15 can be said to be absolute. The rights entrenched are subject to reasonable limit restriction set out under the Charter itself. On the other hand, infringements of the guaranteed rights cannot be arbitrary: they must be written down in a statute or regulation to be "prescribed by law". It places the onus of proof on governments to demonstrate that limits on rights are "reasonable and justified in a free and democratic society."

(b) On whom does the Charter impose limitation

It is provided in the Charter that it applies to the Parliament and government of Canada, and to the legislative government of each province. In other words, the Charter applies to the law made by the federal parliament and the provincial legislations. The Charter also applies to any subordinate laws made under the authority of Acts of Parliament and the provincial legislations by the executive council, minister, agencies, or officials. As well, it applies to municipal by-laws. The Charter also applies to all administrative actions of persons who derive their authority from acts of Parliament or the provincial legislations.

(c) Enforcement of the entrenched rights and freedoms

The Charter can be enforced in three ways. First, in any proceeding in which a law is relied upon it can be declared to be of no force and effect to the extent that it is inconsistent with the Charter. This is because the Charter is part of the Constitution of Canada, which is the supreme law of Canada.

。另一方面，政府亦不能隨意專斷地侵犯這些受擔保的權利。政府一定要根據明文的規章及條例，更要有法律上的憑藉才可以通過任何違反憲章的決定。根據憲章說，政府要負起擔子，證明這些權利限制是合理以及可以被民主社會認定爲公正的。

(二)誰人要受憲章限制？

憲章裏表明了加拿大的國會以及每一個省份的省議會都受到憲章所限制。換言之，所有聯邦政府及省政府所設立的法律都包括在憲章的範籌之內。此外，任何根據國會議定的法例，賦予權力下所通過的附屬法，以及由省政府行政局，各部部長，部門及政府人員所推行的省法例，都屬憲章所管轄。同樣地，憲章亦會監管市政府的條例，所有由省議會或國會頒制的法令下進行義務工作的人員，都要遵守憲章所定的限制統轄。

(三)實施保障權利及自由之方法

實行憲章的方法有三種。其一，在任何審判期間，如果某一條被引用的法例與憲章不符合的話，那這條法例便可被申明爲失去效力。要知道憲章是屬於加拿大憲法的一部份，因此憲章亦即是加拿大最崇高的法律。

其二，憲章授予法律一種廣大的權力。其中一則表明「任何人，如果他的受憲章保障的權利或自由曾被侵犯或否定的話，他可以向任何有適當審判權力的法庭申訴；而法庭亦認爲需要對該個案作出公平及適當的決定時，那麼他便可得到賠償。」現時司法部設立了一個「向憲法挑戰」的綱領。這項計劃使到任何想挑戰政府現行法例或行動的人，都可以憑憲章作爲挑戰的工具。

第三種用來矯正違反憲章的方法，是與刑事案的司法管理有關。憲章特別說明如果法庭斷定某些證據是以一些侵犯人權或自由的手段得來，而在當時的環境下引用這些證據會令司法公正蒙受干擾的話，那麼法庭便可以把證據排除。

下面幾個例子是有關違反憲章的平等法則的情形：

例子一

如果某人想申請安省政府所給予的福利金而遭拒絕，拒絕的理由又同他的性別有關，那麼這個人便可以根據憲章來尋求補償。要知性別歧視是其中一項被禁止的歧視。但如果政府是因爲申請人的婚姻而拒絕他的申請，由於那並不包括在憲章中提及的歧視之內，因此申請人並不一定可以憑憲章解決他的問題。

例子二

如果你相信你被省政府開除的理由是同你的性別或身體殘疾有關的話，那麼你可以從該省的人權法案或者從憲章中尋求補償，因爲性別或身體的歧視都受到以上的兩項法案所禁制。同時，由於這情形關係到省政府，因此歸這兩項法案的管轄範圍之內。不過，就實際上來講，你有可能情願選擇取人權法案而捨憲章作爲申訴的依據，因爲根據人權法案所訂，「人權委員會」要進行調查及起訴的工作。「人權委員會」有強制性的責任去調停投訴，如果該投訴是有事實證明的話。但如果人權局也未能調停時，那麼投訴人可以向一個行政審裁員——而不是向法庭——上訴。這些因素使到人權法案比憲章更能迅速又和諧地調解投訴。

(癸) 其他陳請申訴的途徑

除了「人權委員會」之外，還有許多其他途徑可以讓你申訴你遭受歧視的待遇：

(一)法律援助服務——

法律援助計劃是由聯邦政府，省政府及法律協會所資助，其運作獨立於其他政府的部門。如果你是歧視的受害者，你可到附近的法律援助中心求取幫助。

(二)社區服務中心——

反對歧視是社區中心的其中一項使命。社區團體如「全加華人協進會」可以對人權委員會施加壓力使其改進解決歧視問題的步驟。有些社區中心可以聯合去游說政府及商業團體去改進他們的政策，或者，他們可以要求答辯人向投訴者道歉以及除却不平等待遇。

(三)專業及商界團體——

有些歧視發生在專業行業之中，亦有些在私人公司內。在這種情形下，受害者可以去答辯人所屬的專業團體投訴。舉例來說，對一個律師的投訴可以交給法律協會處理。

(四)廣播界——

所有電視以及電台廣播公司都是由一個聯邦政府機構——「加拿大電台電視委員會」——所管理的。可惜的是，這個委員會並非一個處理人權問題的有效途徑。就拿安大略省來說，大多數報社都是「安省報業聯會」的成員。這個組織的其中一個功

Second, the Charter gives the courts a very broad power by providing that "anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied can apply to a court of competent jurisdiction to obtain such remedy as the court considers appropriate and just in the circumstance." Presently, a "Charter challenge" program is run by the Department of Justice. This program provides the route through which any person or group can launch a Charter challenge against the existing governmental action or legislation.

The third remedy for infringement of the Charter relates to the administration of criminal justice. In particular, it is enunciated that if a court concludes that evidence was obtained in a manner that infringed or denied any rights or freedoms guaranteed by the Charter, the evidence shall be excluded if it is established that, having regard to all the circumstances, its admission would bring the administration of justice into disrepute.

(d) Examples of violation of equality rights under the Charter

1. A person denied welfare benefits by the Ontario government on the ground of sex will have recourse under the Charter since sex is one of the enumerated grounds of discrimination. If, however, the ground of discrimination is the person's marital status, a non-enumerated ground, it is not clear whether the Charter will apply in that case.

2. A person who believes he or she has been fired from a job by the provincial government because of sex or physical handicap may turn to either the human rights code of the province or the Charter; either ground of discrimination is protected explicitly by both the Charter and code, and since this is government action, it is covered by both the Charter and code.

However, even if the aggrieved person has a choice, he or she may prefer the code over the Charter, since under the former the commission undertakes the investigation and prosecution of the complaint. There is a mandatory obligation on the commission to seek to settle a complaint and if the complaint has merit and is not settled, it is heard not by a court, but by an administrative tribunal. These factors indicate a less confrontational and more expeditious resolution of a complaint than is likely to occur under the Charter.

OTHER WAYS TO REDRESS YOUR GRIEVANCES

There are other avenues besides the human rights commissions through which you can redress your grievances concerning discriminatory practices.

(a) Legal Aid Services

Legal aid plan is funded by the two levels of government and by the Law Society. It is totally independent from the operation of other governmental departments. If you have been a victim of discrimination, you can go to your nearby legal aid center to seek for assistance.

(b) Community Agencies

Fighting against discrimination is one of the mandates of these agencies. Organizations such as the *Chinese Canadian National Council* can pressure the human rights commissions to improve their methods of dealing with complaints. Also, community agencies often provide counselling and other services to individual complainants. Some agencies can join together and lobby governmental and commercial institutions to change their policies; or they can demand the respondent to apologize to the complainant and to remove their discriminatory practices.

(c) Professional and Business Associations

Some discriminatory practices take place in the professional fields, others are implemented by private companies. Under those circumstances, the individual may file a complaint to the association that the respondent belongs to. For instance, a complaint against a lawyer can be filed with the Law Society.

(d) Media

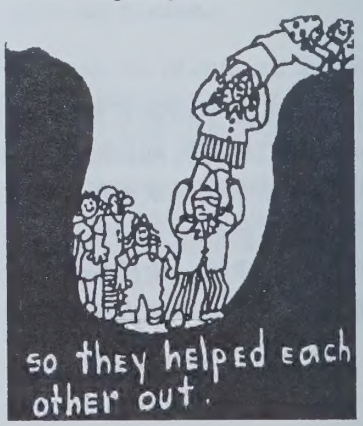
All television and radio broadcasting companies are subject to the control of CRTC which is a federal organization. Unfortunately, CRTC is not an effective channel for dealing with human rights complaints. In Ontario, for instance, most newspapers are members of the *Ontario Press Association*. Part of the functions of the association is to deal with public complaint against the newspaper. Therefore, individuals and community agencies can make use of this association to pressure a newspaper to apologize for its discriminatory actions or comments.

(e) Others

Individual can also complain to the Ombudsman of each province. In Ontario, there is a Race Relations Directorate The Directorate deals not only with individual cases, but also group complaints concerning the whole community. In other situations, individuals may also approach their unions, or their local members of parliament to voice their grievances.

SUMMARY

All in all, there are many different ways to voice your human rights complaint. But before you decide to whom your grievance is to be redressed, you should, first of all bear in mind who the respondent is, the impact of the discriminatory practice - whether it is on the individual or on the community as a whole, as well as your expected remedies. Not all institutions are equally effective in dealing with your complaint. It is also important to realize that there are many barriers for victims who try to enforce their rights. You should not rely only on your own resources or the help from the government to counter discrimination; rather, joint effort of the community is needed in order to overcome all the barriers and to reinstate equality for all.



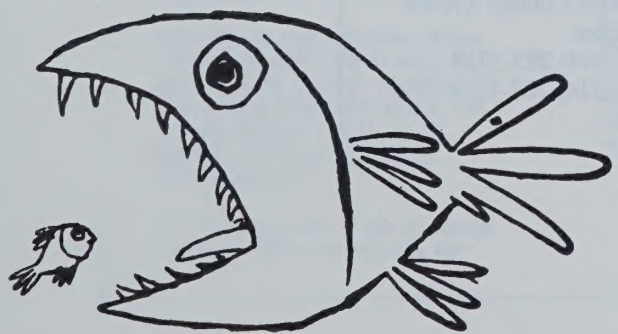
用就是處理大衆對報界的不滿投訴。所以，個人以及社區中心可以經由這個團體向報社施壓力讓它對其他歧視的行爲或言論致歉。

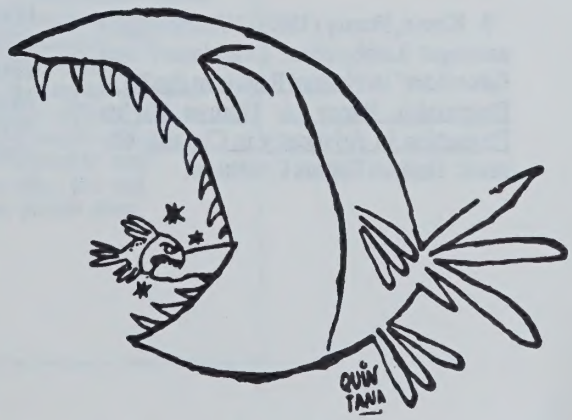
(五)其他——

你亦可向各省「處理市民控訴政府」的官員投訴。在安省有一個剛成立的種族關係理事會；這是一個獨立的組織，不但處理私人的個案，並且接受團體對整個社區的控訴。在其他的情況下，你亦可向工會或本區的國會議員提出申訴。

總結

總的來說，閣下可以用不同的方法來呈遞有關人權的投訴，但在你未決定去那裏尋求賠償之前，你要首先確定以下幾點：第一、你想投訴的對象是什麽人；第二、這種歧視對你或者整個社會有什麽影響；第三、你希望得到怎樣的賠償。並非每一個機構都可以有同樣的能力來解決你的問題。同時，你要了解到你和其他歧視的受害者將會遇到的難關。你未必可以單憑自己的能力和資源，或者只靠政府的協助來對抗歧視。相反來講，你需要社區的聯盟力量才可打破重重的障礙，使到人人可以得到眞正的平等。





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✈**These offices accept long-distance calls collect.**

Chinese Canadian National Council

What is The CCNC?

In 1979, Chinese Canadians across the country united to protest the irresponsible journalism of a national televised program: "Campus Giveaway". As a result, CTV publicly apologized for the racist overtones and inaccuracies of that particular episode. More significantly, the participants against W5 from cities across Canada assembled and held a conference in Toronto. Out of that meeting, the importance and need of a strong, national organization became so evident that the Chinese Canadian National Council was formed.

Objectives of CCNC:

To promote the rights of all individuals, in particular, those of Chinese Canadians and to encourage their full and equal participation in Canadian society.

To create an environment in this country in which the rights of all individuals are fully recognized and protected.

To promote understanding and cooperation between Chinese Canadians and all other ethnic, cultural and racial groups in Canada.

To encourage and develop in persons of Chinese descent, a desire to know and to respect their historical and cultural heritage; to educate them in adopting a creative and positive attitude towards the Chinese Canadian contribution to society.

How Does The CCNC Meet These Goals?

By developing a strong national voice;
encouraging new members across Canada to work with existing groups in the Chinese community; cooperating with other ethnic and cultural groups; setting up an effective national network of communication.

By working in the areas of human and civil rights; monitoring the media; fighting stereotyping and institutional racism.

Political awareness and participation; sponsoring all candidates meeting; informing the public of important issues which affect them; submissions to different levels of government; political awareness workshops; active participation in the decision-making of our government's policies.

Cultural and social activities; festivals, street fairs, special events and community activities; developing a resource library; historical and cultural heritage exhibit that travels across Canada; sending out a newsletter regularly.

Structure:

There are twenty nine local chapters and affiliates and Canada located in Vancouver, Victoria, Edmonton, Calgary, Regina, Saskatoon, Winnipeg, London, Windsor, Hamilton, Moncton, Toronto, Etobicoke, Scarborough, Ottawa, Sarnia, Montreal, Halifax, Saint John, Fredericton, Kingston, Pembroke, Prince Edward Island, Newfoundland and Labrador. The National Office of the CCNC is located in Toronto.

Redress Campaign

Five years ago, CCNC formally took up the redress issue for Chinese Exclusion Act and Head Tax. These were two very devastating and racist Canadian laws. The Redress Campaign calls upon the government of Canada to acknowledge the injustice and racial discrimination and recognize the suffering of individual Chinese Canadians that resulted from this legislated discrimination. The return of a symbolic sum consisting of at least the amount unjustly collected as Head Tax is also part of the request. Many headtax payers, now in their eighties or nineties, are still waiting to see justice done.

LIST OF CCNC MEMBER CHAPTERS

CCNC Calgary Chapter
CCNC Edmonton Chapter
CCNC London Chapter
CCNC Ottawa Chapter
CCNC Toronto Chapter
CCNC Winnipeg Chapter
Central Ontario Chinese Canadian Cultural Centre - Kitchener - Waterloo
Chinese Association of Newfoundland and Labrador
Chinese Benevolent Association of Vancouver
Chinese Canadian Association of Kingston & Districts
Chinese Canadian Association of New Brunswick, Fredericton
Chinese Canadian Association of Prince Edward Island
Chinese Canadian Association of Saint John
Chinese Canadian Mutual Help, Victoria
Chinese Canadian Society (Hamilton-Wentworth, Halton)
Chinese Cultural Society of Saskatchewan, Regina
Chinese Cultural Society of Saskatchewan, Saskatoon
Chinese Family Services of Greater Montreal
Chinese Neighbourhood Society of Montreal
Chinese Society of Nova Scotia, Halifax
Essex County Chinese Canadian Association, Windsor
Etobicoke Chinese Canadian Associaiton
Federation of Chinese Canadians in Scarborough, Ontario
Halifax Chinese Cultural Centre
Moncton County Chinese Cultural Society
Regina Chinese Canadian Association
Renfrew County Chinese Cultural Society, Pembroke
Sarnia-Lambton Chinese Canadian Association
United Chinese Community Enrichment Service Society, (S.U.C.C.E.S.S.), Vancouver

全加華人協進會（平權會）

全加華人協進會（平權會）簡介

成立經過

一九七九年，CTV在全國廣播節目"W5"「校園大平賣」裡面，以不正確的統計資料，捕亂視聽，犯了很嚴重的種族偏見，危害加國華人權益，全加華人都感忿慨，提出抗議，結果，CTV承認報導失實，公開道歉，由於這事件的教訓，參與這次抗議W5行動的各地人士，在多倫多召開一次會議，大家都認爲有必要組織一個全國性的健全機構，來統籌和領導爭取維護加國華人和少數民族的合法權益事宜，全加華人協進會（平權會），就在大家同心同德，群策群力的情況下，組織成立起來。

今天，平權會是一個朝氣勃勃，分佈全加，會員都屬熱心人士的新生組織，它正在快速成長，積極參與多項全國性和地方性的重要工作。

本會宗旨

△促進人權，支持及推廣華人參與加國社會活動，爭取享有全面性均等機會。

△致力謀求每個人的權益，受到全面性肯定的保障。

△推動加國華人與不同文化，不同種族背景人士的瞭解和合作。

△鼓勵加國華人繼承和發揚中華文化，協助他們認識和尊重自己的文化歷史傳統，教育他們採取正確態度，貢獻給加國社會。

如何達致目的

△盡力使本會成爲一個代表加國華人發言的機構，鼓勵會員與當地華人社區携手合作，並與不同種族團體合作，成立全國聯絡網。

△參與促進人權，監察傳播媒介的報導和言論，反對既定觀念和種族歧視。

政治醒覺和政治參與

發起候選人會議，讓大眾明瞭和自己有密切關係的重要事項，接觸各級政府，舉辦政治醒覺研討會，積極參與政府各項政策的釐定。

文化活動和社會活動

慶祝傳統節日，舉行嘉年華會。社區活動或特別活動。整理資料，建立資料中心，舉行巡迴全國的文化歷史傳統展覽。定期出版通訊，提供革新計劃。

本會組織結構

全國共有二十九個分會，分佈在城多利，溫哥華，愛明頓，卡加利，利濟那，沙士加吞，溫尼泊，倫敦，溫莎，威美頓，滿頓，多倫多，渥太華，滿地可，滑鐵盧，夏利佛斯，佛列頓，西妮亞，盼布睦，京士頓，聖約翰市，查絡城，士嘉堡和怡陶碧谷等，而全國總部設在安省多倫多。

協助本會

本會透過全加華人教育基金，舉辦各種慈善及教育活動，故此凡捐款贊助本會，均可引用入息稅法案條款，獲准扣稅。

本會的成功有賴閣下支持

爲了增進加國華人的幸福生活，爲了鞏固加國華人的平等待遇，請大家同心協力，貢獻你們的熱情和力量，藉此認識和結交志同道合的朋友，一齊參加這有意義的社區活動，分享其中樂趣，歡迎閣下參加本會義工和會員行列！